

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                                   |   |                                      |
|-----------------------------------|---|--------------------------------------|
| <b>ROSE M. SINKER,</b>            | : | <b>CIVIL ACTION NO. 1:13-CV-2313</b> |
|                                   | : |                                      |
| <b>Plaintiff</b>                  | : | <b>(Chief Judge Conner)</b>          |
|                                   | : |                                      |
| <b>v.</b>                         | : |                                      |
|                                   | : |                                      |
| <b>CAROLYN W. COLVIN, ACTING:</b> | : |                                      |
| <b>COMMISSIONER OF SOCIAL</b>     | : |                                      |
| <b>SECURITY,</b>                  | : |                                      |
|                                   | : |                                      |
| <b>Defendant</b>                  | : |                                      |

**ORDER**

AND NOW, this 3rd day of October, 2014, in accordance with the accompanying memorandum, **IT IS HEREBY ORDERED THAT:**

1. The Clerk of Court shall enter judgment in favor of Rose M. Sinker and against the Commissioner of Social Security as set forth in the following paragraph.

2. The decision of the Commissioner of Social Security denying Rose M. Sinker social security disability insurance benefits is vacated and the case remanded to the Commissioner of Social Security to:

Properly evaluate the credibility of Sinker, taking into account the third party statement submitted by Paul Sinker, Jr., and providing specific references to contrary medical evidence in the event that Sinker is found to be less than credible;

Evaluate the impact of Sinker's degenerative disc disease of the cervical spine, or provide adequate reasons why this is not a medically determinable impairment, and;

Elicit medical opinion(s) regarding Sinker's residual functional capacity and the impact that fibromyalgia has upon her functional abilities.

/S/ Christopher C. Conner  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania